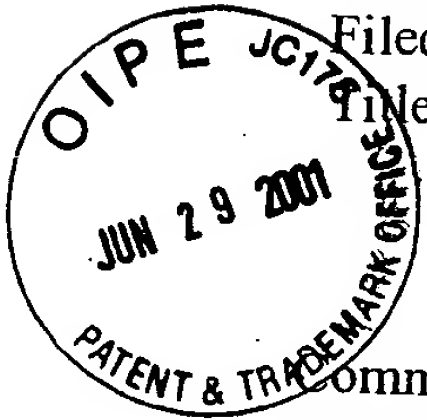


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Madden, *et al.*  
 Application No.: 09/751,299  
 Filed: December 28, 2000

Art Unit: 1632  
 Examiner: Unassigned

Title: METHODS FOR PRODUCING ENANTIOMERICALLY PURE  $\alpha$ -  
 SUBSTITUTED CARBOXYLIC ACIDS



Commissioner for Patents  
 Washington, D.C. 20231

CE  
 AUG 01

TECH CENTER 1600

VERIFIED STATEMENT UNDER 37 C.F.R. § 1.821(f)

Sir:

I, Mikhail Bayley, declare that I personally prepared the paper and the computer-readable copies of the Sequence Listing filed herewith in the above-entitled case and that the content of both is the same.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of The United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 05/08/2001

*Mikhail Bayley*  
 Mikhail Bayley

GRAY CARY WARE & FREIDENRICH LLP  
 4365 Executive Drive, Suite 1600  
 San Diego, CA 92121-2189  
 Customer Number: 28213

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, <u>5-8-01</u> , in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.	
<i>Yima Najar</i>	
Name of Person Mailing Paper	
<i>[Signature]</i>	Date <u>5-8-01</u>
Signature	Date



PATENT

Attorney Docket No.: DIVER1440-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mark Madden et al. Art Unit: 1632  
Application No.: 09/751,299 Examiner: Unassigned  
Filed: December 28, 2000  
Title: METHODS FOR PRODUCING ENANTIOMERICALLY PURE ALPHA-SUBSTITUTED CARBOXYLIC ACIDS

BOX SEQUENCE

Commissioner for Patents  
Washington, D.C. 20231

**STATEMENT UNDER 37 C.F.R. §§ 1.821(f) and (g);  
and 37 C.F.R. § 1.825 (b)**

Sir:

I hereby state, as required by 37 C.F.R. § 1.821(f), that the information recorded in computer readable form is identical to the written sequence listing.

I hereby state that the submission, filed in accordance with 37 C.F.R. § 1.821 (g), herein does not include new matter.

I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 C.F.R. § 1.825 (b), is the same as the amended Sequence Listing.

Respectfully submitted,

Date: 5/8/01

Lisa A. Haile, Ph.D.

Reg. No. 38,347

Telephone: (858) 677-1456

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GRAY CARY WARE & FREIDENRICH LLP  
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San Diego, CA 92121-2189  
USPTO Customer Number 28213

**CERTIFICATION UNDER 37 CFR §1.8**

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, 5-8-01, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Yima Najar

Name of Person Mailing Paper

Signature Yima Najar

5-8-01

Date